

**LOWER PAXTON TOWNSHIP
PLANNING COMMISSION**

August 8, 2012

COMMISSIONERS PRESENT

Fredrick Lighty
Ernie Gingrich
Dennis Guise
Roy Newsome
Robin Lindsey
Richard Beverly
Doug Grove

ALSO PRESENT

Dianne Moran, Planning & Zoning Officer
Al Bain HRG, Inc.
Tim Smith, Dauphin County Planning Commission

CALL TO ORDER

Mr. Lighty called the regular meeting of the Lower Paxton Township Planning Commission to order at 7:00 pm, on August 8, 2012 in Room 171 of the Lower Paxton Township Municipal Center, 425 Prince Street, Harrisburg, Pennsylvania.

PLEDGE OF ALLEGIANCE TO THE FLAG

Mr. Lighty led in the recitation of the Pledge of Allegiance.

APPROVAL OF MINUTES

No action was taken on meeting minutes.

OLD BUSINESS

Preliminary/Final Subdivision Plan #12-04
John & Sandra Bverly

Ms. Moran stated that the purpose of this plan is to subdivide the existing lot into three lots that would include two new building lots. The property is zoned, R-1, Low Density Residential District and contains 10.3521 acres. The three lots will include the following acreage: Lot 1 – 2.4511 acres; Lot 2 – 1.0999 acres; and Lot 3 – 6.5810 acres. All lots will be served by private water and private sewage disposal. The property is located west of Parkway West and north of Linglestown Road.

The applicant tabled the plan prior to the March 14, 2012 Planning Commission meeting in order to address staff comments.

The applicant has requested a waiver of the following requirements: provide existing contours, provide a stormwater management drainage plan, and provide sidewalk and curbing along the frontage of Parkway West.

Ms. Moran noted that a fifth General Condition has been added since the comments have been distributed: a fee-in-lieu will be required for the two newly created lots. Two additional waivers are

requested at this time as well: waiver of the requirement to show existing contours extended to the minimum 100 foot boundary outside of the existing property line; waiver of the requirement to provide the minimum intersection sight distance for the existing driveway that serves the residual Lot 1.

Mr. Guise asked Staff's position on the additional waiver requests. Ms. Moran stated they were generated as a result of discussions between staff, engineer and the applicant, and they are supported.

Mr. Newsome asked why there is an access easement across a lot when they could have access to a public road directly. Ms. Moran explained that the lot does not have frontage, so it must cross and use the other lot's driveway.

Mr. Jeffrey Staub was present on behalf of the plan. Mr. Staub explained that the plan was reviewed by Staff in March and there were many comments, so he asked that the plan be tabled at that time in order to bring a cleaner plan to the Commission. He noted that they can satisfy all of the comments presented at this time.

With regard to the additional waiver requests, Mr. Staub explained that they are showing on the plan the existing contours of the site, but the request is for relief from showing contours to the 100 foot boundary. Mr. Staub stated they would like to defer stormwater management until such time as the lots are developed. He added that it may be some years until a building permit is applied for.

Mr. Staub stated that the existing driveway, which has been there for years with no safety issues, does not meet today's sight distance requirements. He also noted that in reality, you can see to the left across the field and down to the next curve, which is at least 800 feet.

Mr. Staub stated that Lot 2 is set up with the access easement through Lot 3 because it has no street frontage. In order to get the best sight distance, they prefer to take access through Lot 3.

Mr. Guise asked about the fee-in-lieu. Mr. Staub stated that the applicants are aware of this.

Mr. Guise asked about delaying the stormwater plans, and if stormwater issues could affect the layout of the subdivision. Mr. Staub explained it is actually the opposite, the development planned will affect the stormwater. Mr. Newsome would like to see a note on the plan that if any development is proposed on any of the three lots, then stormwater management will be done at that time on all three lots together; he did not want the stormwater issues pieced together. Mr. Lighty asked if Staff would be okay with tracking future requirements like these. Ms. Moran agreed it would be fine, and she also noted that the applicant will put language in the deed so that it is clear to any future owners as well. Mr. Lighty suggested that Staff, HRG and the Township Manager meet to ensure the language in the deed restriction is adequate.

Mr. Lighty called for comments from the audience. There was none.

Mr. Guise made a motion to recommend approval of the plan, subject to satisfying the comments, and the action on the waivers as follows: waiver of the requirement to provide existing contours is withdrawn since this is shown on the plan; waiver of the requirement to provide a stormwater management plan is approved with the condition that a note be placed on the plan and documentation be provided to future owners so that stormwater management shall be completed when any development occurs on any of the three lots; waiver of the requirement to install sidewalks and curbing along Parkway West is approved;

waiver of the requirement to provide existing contours extended to the minimum 100 foot boundary outside of the existing property line is approved; and, waiver of the requirement to provide the minimum intersection sight distance for the existing driveway that serves the residual Lot 1 is approved based on testimony that there is ample sight distance to the west. Mr. Newsome seconded the motion, and a unanimous vote followed.

NEW BUSINESS

Preliminary/Final Subdivision Plan #12-11 **Grove Road**

Ms. Moran stated that the purpose of this plan is to resubdivide parcel #35-070-023 and #35-070-030 into four single family building lots. The property is zoned R-1, Low Density Residential District and consists of 6.23 acres. All lots will be served by public sewer and private water. The property is located on the southwest corner of the intersection of Union Deposit Road and Grove Road.

The applicant has requested a waiver of the requirement to provide curbs, sidewalks and road widening.

John Murphy, John Subanis and Adam Woods, of Alpha Consulting Engineers were present on behalf of the plan.

With regard to the sight distance comment, Mr. Murphy explained that there is more than adequate sight distance for Lots 2, 3, and 4, and for Lot 1 to the right. For Lot 1 looking left, they will need to do some grading and remove a few trees.

Mr. Murphy noted that Grove Road recently underwent total reconstruction. It would not make sense to cut up the road for a small section of widening, when the widening would not provide any benefit. Widening would actually encourage speeding up the hill and require additional negotiation when the width returns to normal. He also noted that in order to install sewer service, they will bore under the road instead of cutting into it.

Mr. Murphy stated that he has reviewed the other comments, and can satisfy all of them.

Mr. Newsome commented that this is a tough site to plan, and the applicant did a nice job.

Mr. Newsome asked about infiltration of the driveway surface water. Mr. Murphy stated that it will be a sheet flow condition from lot to lot. Mr. Newsome asked why the trench was located on the lower side after the driveway, and not before it to catch the water before it goes onto the driveway. Mr. Murphy explained that all of the roof leaders drain to the rear to the pit located in the rear yard. The driveway is the only thing that is draining to the trench.

Mr. Guise asked for an explanation of the drainage pit in the rear yard. Mr. Murphy stated that they excavate, place stone and fill, and then plant grass. It includes a rapid geotextile material. Mr. Lighty asked about maintenance of the pit. Mr. Murphy stated it should not need any maintenance as it should not clog at all; only water will reach the pit. Mr. Lighty was concerned that future owners would not know what to do about the drainage pit. Mr. Murphy stated that information will be included with the sales disclosure. He asked if the homes will be built then sold, or sold as lots. Mr. Murphy stated they will be

built by the current owner and then listed for sale. The owners of each lot will enter into a maintenance agreement for the trenches.

Mr. Bain explained that the down spouts and collateral pipes will be the only foreseeable maintenance. If the gutters have leaf guards then nothing should get into the down spouts. If there is any type of clog it would be like any other simple pipe clog where Roto-Rooter or a similar company clears the drain.

Mr. Lighty asked when the houses are going to be built. Mr. Murphy answered they will be built as soon as possible. He noted that they have indications that the market is ready for some new homes. They will have 2,500 square feet of living space.

Mr. Lighty called for comments from the audience. Hearing none, he called for a motion on the plan.

Mr. Newsome made a motion to recommend approval of the plan and waiver requests, subject to compliance with the comments generated by Staff, Engineer and County.

Eric Milliron, 6080 Cherryhill Road, asked to address the Commission regarding the Grove Road subdivision plan. He explained that these homes will share the sewer system and the underground water supply with the homes in his neighborhood which was built 48 years ago and Sunnyhill which was built in the 1980's. He is concerned that this will deplete additional wells. His original well went dry and he had to have a new one drilled at a depth of 475 feet, and even with the new well, he only gets a yield of 3.5 gallons per minute. He asked for some assurance that these new homes will not cause that to happen to him again. He noted that Sunnyhill is on public water and suggested that these homes connect to it rather than causing more strain on the underground water supply.

Mr. Milliron requested that a feasibility study be done of the geology and the water supply, and that the sewer plans for the area within a five mile radius be reviewed. He stated that the future is grim, and that even small plans like this one have wider implications.

Mr. Lighty stated that it is mandatory for new homes to connect to public water if it is within 200 feet. He also explained that sewer capacity is one of the things they do consider with each plan that comes before them. He also noted that wells were not always dug deep enough, and it is common for a well to be redone at a greatly increased depth. The ordinances do not regulate private water supply, and it is a riparian right of a property owner to dig a well on their property if they wish to do so. The law basically sees it as the plot of land and the earth below it belongs to the property owner. The ordinances cannot regulate the water withdrawn on one property or the effect it has on another's yield. He also noted that it is important to understand that this area has a very good ground water supply. Adding homes to the current usage will have no impact. The aquifer in that area is supplied by the stream by Union Deposit Road, which is never dry. The section on the hillside may experience seasonal fluctuation, but once you drill below the elevation of the stream, there will be no issue.

Mr. Lighty also explained that this 4-lot development will actually be returning rainwater to the ground, and they are using sound infiltration measures to do so.

Mr. Milliron noted that the Kocevar Farm is to be developed and he would like to review the plans to see where the water lines will be for that area, as well as for the development going in to the south.

Mr. Newsome thanked Mr. Milliron for his comments and agreed that adequate water supply is an increasingly difficult role for municipalities. He noted that there will be more developments on public water than with private water supply. Mr. Newsome added that plans submitted to the Township are reviewed for sewer disposal and water supply.

Mr. Newsome made a motion to recommend approval of the plan and approval of the two requested waivers, subject to the satisfaction of the comments provided by Staff, Engineer and County, and with the condition that a note be placed on the plan that nothing can be built over the pit. Mr. Grove seconded the motion and a unanimous vote followed.

PUBLIC COMMENT

Mr. Lighty asked for comments from the audience.

Mr. Rob Davis, 6016 Willow Spring Road, suggested that the owners be provided with a how-to manual for the drainage pit. The developer explained there is no maintenance associated with it. Mr. Davis asked if the Township will stop any future owners from building over it. Mr. Lighty answered yes, that is the Township's role.

Mr. Lighty also noted that the maintenance agreement goes with the land, so that is something each owner and every future owner must abide by.

COMMISSIONERS' COMMENTS

Mr. Guise stated he is on a committee for the development of a new park on the Wolfersberger Farm and redevelopment of Koons Park.

ADJOURNMENT

The next regular Planning Commission meeting is scheduled for Wednesday, September 12, 2012, at 7:00 pm at the Lower Paxton Township Municipal Center, Room 171.

Being no further business, the meeting adjourned at 8:02 pm with a unanimous vote.

Respectfully Submitted,



Michelle Hiner
Recording Secretary